App F IX 4

Previous References

ML 69-38 — 73 74
117 — 34 — 1 2
62 — 36 — 85 92

Later References

1941 ✓
(ML)

ML File No 112 — 41
Serial Nos. 25, 26

GENERAL AND REVENUE SECRETARIAT

Serial Nos ✓

Part B for Feb 1942

SUBJECT

Levy of a special sanitary Cess in the Limbdi Town Municipality

To The D C Limbdi

Sl 26) L 7166 Dt " 2 41

Issues certain instructions

4/2/4 ✓

4589
L

Levy of Special Sanitary Cess in Tumkur Town

General and Revenue Secretariat | ML File No | of 1939. | [App F III 3

Serial No

Letter no A6 c 2486/38 39 d 20-2-1940 from the D C Tumkur Dist- requesting Sanction to the proposal of the Tumkur Town M C to the levy of Sanitary Cess within the limits of the Municipality and to the bye-laws thereof

Flag X

By the levy of the Sanitary cess, an income of about- Rs 3000/- per annum is expected to be realised

The required formalities in this Connection are stated to have been observed and the objection petitions received have also been disposed of by the Municipal Council

The draft- bye-laws have been framed on the Subject- and are submitted for approval

Flag Y

The meaning of the words underlined in rule 1 of the bye-laws is not clear

The recommendation of the D C is Submitted for orders

Kms
5 V 40

This is one of the cases which has been pending, in this Office and about which the President-, Tumkur

NOTE—Contn Sheet

Levy of Special Family Cess – Tumkur Tq

4509
39-40 of 1941

HK File No 112

General and Revenue Secretariat

Serial No

Tumkur Tq has been reminding Govt (vide blocked file) often. It has been noted by a scrutiny of the staff by laws were sent up not to levy that the by laws & rules have been mixed up instead of framing them separately, as has been done in the case of the other amalgamated Tumkur Tq. They therefore request to be revised. Hence a draft letter calling for further information & also asking that by laws may be revised etc is put up for approval.

It may be approved

Law Secy / Hm 3/12/42

Hm 3/12/42

Home Secy 3/12/42

Ref to

the by Laws, Tumkur Dist. No L 7166 L 11-2-42 issues certain instructions. It appears the DC took the Chairman taken up when a Resolution was passed

13/12

yes pl

Law Secy 15/12/42

traced recently – this is really very bad and the concerned must be avoided. The clerk is warned Hm 2/12/42

This was found among the papers which were sent for Govt Lr No 1 dtd 3/1/42

REGY BRANCH 1942 GOVT OF MYSORE

5009

No A6 c 2486/38-39

Encl- one file

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

D TED TUMK T E 20th Feb 19 40

From

SECY LAW DEPT 21 FEB 1940 Govt O

K GURU DUTT E Q B
U COMM S ONE
TUM U D T TUMKUR

To

H V Naray na Rao, Esqr , B A , LL B ,
C T TO GO NM N O M O
Law DEP TM T BANGALORE

Rd 112-41-25

SUBJECT — Levy of a special Sanitary Cess in Tumkur town Municipality

Sir,

With reference to your letter No L 6895/ 1 69-38-74 dated 28-2-1939, calling for further particulars, on the above subject, I have the honour to forward herewith a copy of letter No H C 68/38-39 dated 3-2-1940 from the President, Town Municipal Council Tumkur, furnishing the required information

The byelaws framed by the Council for regulating conservancy and Sanitation in this Town Municipality were widely published and objections were called for as required under section 48(2) of the Town Municipalities Act of 1933 to the proposed levy of Sanitary Cess Since no objections have been received within the prescribed period, the Council have resolved that approval of Government may be obtained to the byelaws at the rates proposed

As all the required formalities have been observed, I request that sanction of Government may be kindly obtained to the proposed bye-laws of the Municipality

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Tumkur District

Y s v

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L7166/MRC112-41-26 Dated Bangalore 11th February 1942

Eu. records

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department

To

The Deputy Commissioner,
Tumkur District,
Tumkur

Sir,

With reference to the correspondence ending with your letter Na dated 20th February 1940 regarding levy of special Sanitary Cess in the Tumkur Town Municipality, I am directed to observe that the draft bye-laws now sent up are defective and require to be revised on the lines of those in force in Chikkamagalur Town Municipality (copy enclosed for ready reference) with suitable local modifications Further bye-laws have to be separately framed under Section 48(1)(O) of the Town Municipalities Act 1933 for regulating conservancy and sanitation and rules under Section 46(h) and 61 (vii) of the Act for levying the said cess I am to request that the Municipal Council may be advised to take action accordingly and submit revised by-laws and rules to Government after observing the prescribed formalities

Information may also be furnished on the following points:-

(1) The total number of houses in the Municipality

(2) The number which have the daily conservable type of latrines at present

(3) Whether the Municipality have employed or would comply the required number of Scavengers to attend to this work at the rate of one for 50 houses

(4) Whether it is the intention of the Municipal Council to introduce the daily conservable system in the entire area or only confine it to certain specified areas

The records accompany

I have the honour to be
Sir,
Your most obedient servant,

Sd/- H V Narayana Rao,
Secretary to Government,
Law Department,

P T O

(2)

Memo No 1767/MC

Bangalore, dated, 25 Feoruary 1942

Copy of the foregoing is forwarded with compliments to the President, Tumkur Town Municipal Council with reference to his letter No A C 61/41-42 dated 28th November 1941 Sanction has been separately given to the appointment of 3 orderlies and further information called for regarding conversion fine is ~~amounted for the revision~~ awaited from the Revenue Commr

By Order,

V. C. Ramachandra Rao

For Secretary to Government,
Law Department

Appendix F G—1]

SUBJE(T

Section 14

File No 112-61

Serial No 26.

Diary No of letter replied to

No L2164/Ewr records

To

The D-C Zumrawala

Sir,

General and Revenue Secretariat

( )

the *193*

With reference to the correspondence ending with your letter no 20th Feby/42 regarding registration of Special Family Law in the Zumrawala Raj Feby, I am directed to observe that the rough by-laws now sent up are defective & require to be revised on the lines of those in force in Chitrangada Zumrawala (copy enclosed for reference) into suitable local language. The By-laws have to be separately framed

Date of issue 11th Feby '42

Signed by Mr G. Ramachandran

Rao

List of enclosures

Copied by

Examined by

WD 0 21—GPB—30 000—1 3 37

under Sec. 4 (1) (c) of the
Town Planning Act 1933 for regulating
Conservancy Sanitation & rural under
Secs 4 b (2) & 61 (VII) of the Act
for levying the said cess I am
to request that action should
may be advised to take action accordingly
Submit revised bylaws & rules to get
effect observing the prescribed formalities.

Information may also be furnished on
the following points :—

1) Details no of Lorries in the city
of the no which have the daily conservancy
type of latrines at present

3) Whether the city Municipal Council would employ
no of Scavengers to attend to this work at
the rate of one for 50 houses

4) Whether it is the intention of the city to
introduce the daily conservancy system in
the entire area or only confine it to
certain specified areas

The records accompanying

Yours

Memo no. 2767/VC dated 11-2-42 from Secy to Govt Local Self Govt to repre
copy sent to the President, Town Planning Board vide Chairman
letter no C 61/41-42 dt 28/11/41 Sanction has called for Chairman
given to the appointment of 3 workers & further time is awaited by the Secy

OFFICE OF THE PRESIDENT TOWN MUNICIPAL COUNCIL
CHIKMAGALUR.

Notification No O C 41—39 40 dated 23rd May 1941

Notice is hereby given to the inhabitants of the Chikmagalur Town Municipality that the Town Municipal Council Chikmagalur desire to promulgate the appended bye laws framed under Section 48 (1) (c) and under Section 61 (VII) of the Town Municipal Act VIII of 1940 for regulating and improving the private latrines arranging the clearance of private latrines by the Municipal scavenging staff and to introduce the Special Sanitary Cess respectively in the Municipal area Any inhabitant objecting the proposed bye law and rules appended to this may within one month from the date of this notice published in the *Mysore Gazette* send his objection in writing to the Municipal Council Objections received after that date will not be considered

Bye laws

Bye laws framed by the Town Municipal Council Chikmagalur under Section 48 (1) (c) of the Town Municipalities Act 1940 for enforcing the daily conservancy system by the Municipal agency only and rules framed under Section 61 (VII) of the same Act for the levy of Special Sanitary Cess as per rates mentioned in the schedule below

1 Every privy or latrine that is to be constructed hereafter in the Municipal limits should conform to the daily removable system only

2 The privies under pit system if any in the private premises should be changed into the daily removal system within a reasonable time fixed by the President

3 The opening of the privy should always be towards the conservancy lane and should be constructed according to the approved plan and after obtaining a license from the President or the Chief Officer

4 The opening of the privy should be capable of daily removal from outside through the conservancy lane and should be provided with good shutters or trap doors so as to completely close the opening The question of granting or refusing a license to put up a trap door will rest with the President

5 All trap doors or shutters for the privies should be preferably made of iron plates of not less than one eighth of an inch in thickness soaked in tar both sides The shutters to the trap doors should be fixed so tight to the door frame that no flies or any other disease carrying insects have an access

6 The Municipality will arrange the removal of night soil through its own agency on payment of the special sanitary cess fixed on private latrines as noted in detail in the schedule below

7 No night soil shall be kept in stock in the latrines for more than twenty four hours

8 For every 20 persons a house is intended to accommodate there shall be at least one privy

9 The side and the floor of the chamber for the receptacle shall be constructed of hard smooth stones or brick work plastered with cement or other non-absorbant material and the floor shall be so sloped that any liquid discharged on it shall be rapidly and easily flow to an outlet

10 Every privy shall be provided with a movable receptacle to receive night soil with a capacity of not more than one cubic foot

11 Arrangements must be made for the separation of urine from faecal matter

12 The owner or occupier of any land on which there is a privy must have such privy shut out by a sufficient roof and enclosure by non combustible material or by wall from the view of persons passing by or resident in the neighbourhoods

13 The flooring inside the latrine must be made impervious by cement concrete and plastered with cement or by flooring with cuddapah or burnt slabs with neat cement pointings so that water and other watery substance may not accumulate inside

14 Every privy shall be so constructed that the bottom of the receptacle for night soil urine or ablution water shall be at a level at least two feet above the ground level

15 Every person who shall construct a new privy shall construct the same in such a way that the night soil receptacle shall be at a distance of 10 feet from any public road or place of public resort 20 feet away from any kitchen 25 feet away from any place used as human habitation and 60 feet from any well tank or stream the water of which is used for drinking purposes provided that where the maintenance of any such distance down to half that prescribed above

16 A pucca drain with cement concrete and plastered with cement with proper slope must be constructed and the water of the privy should be let into the conservancy drain through a drain

17 Any person infringing these bye laws is without being served with any show cause notice liable on conviction before a Magistrate to a fine not exceeding Rs 50 and in case of continuing offences to a fine not exceeding Rs 5 for every day during which such infringement continues provided that the total amount of fine shall not exceed Rs 100

Rules framed for the levy of Special Sanitary Cess in Chikmagalur Town for the removal of night soil from the private houses as per Section 61 (VIII) of the Town Municipal Act 1953

1 All the private latrines in Chikmagalur Town shall be got cleaned by the Municipal scavenging staff only maintained by the Municipality on payment of monthly salary

2 No owner or occupier of any house has got the privilege of getting his private scavenging done by his own agency except with special permission in writing from the President of the Town Municipal Council

3 A Special Sanitary Cess as per schedule noted below shall be paid by the owner or the occupier of the house where latrine is arranged to be cleaned by the Municipal agency

4 The Special Sanitary Cess shall be payable in quarterly instalments to the Municipality and the default thereof shall entail in the stoppage of the scavenging work of the house of defaulter without notice and action will be taken against the owner or occupier of the house as per clause 7 of the Daily Conservancy Bye law

5 No private scavenger unless he is specially permitted by the President in writing shall have any right to conserve any private latrines

6 The private scavenger shall have a license from the Municipality on payment of a license fee of Rs 10 per year and should possess a badge from the Municipality

7 In case any owner or occupier of any house is granted an exemption from the President in writing to get his latrine cleaned by a private agency appointed by himself under clause 2 of the rules above he will not be exempted from payment of Special Sanitary Cess levid on him under clause 3 of the rules

8 If the owner or occupier prefers his latrine to be cleaned by his private agency it is his duty to see that the licensed scavenger who is legally authorised by the Municipality and who wears a Municipal badge noted as Licensed Scavenger is only appointed by him

9 The licensed scavenger shall have a night soil hand cart at his own cost with proper lid and should take the night soil to the place where the Municipality has set apart the place for dumping the night soil anywhere except the place set apart for the purpose failing which his license will be cancelled the license fee will be forfeited the badge withdrawn and in addition he is liable for prosecution

10 The Special Sanitary Cess will be entered against the name of the khatedar whose duty it is to see that regular payment is made to the Municipality in time The payment will be received from the occupiers or tenants also if they are paid voluntarily but the responsibility of the khatedar does not cease if the occupier or the tenant fails to pay the Special Sanitary Cess

11 Not more than 50 houses should be entrusted by the Municipality to a scavenger appointed by the Municipality

12 The occupier of any house has a right to complain to the Municipality about the non-removal of night soil from his latrine or any incivility on the part of the Municipal scavenger

13 Failure of payment of Special Sanitary Cess shall have the same effect as failure of payment of mohatarfa taxes and the khatedar or owner of the house is responsible for the payment and his movable properties are liable for being distrained as if other mohatarfa taxes are due

14 Any infringement of these rules from clauses 1 to 12 is liable on conviction before a Magistrate to a fine not exceeding Rs 25 and in case of continued offence to a fine not exceeding Rs 2 for every day during which such infringement continues provided that the total amount of fine shall not exceed Rs 50

Schedule

Name of Tax	Classes of property liable	Rates at which classes are liable
Sanitary Cess	On all latrines conserved by the Municipality except those constructed at the cost of the Municipal Fund	(1) Re 0-4-0 for every month on each latrine attached to a private house assessed to a mohatarfa tax up to Rs 5 per annum (2) Re 0-6-0 for every month on each latrine attached to each private house assessed to a mohatarfa tax of above Rs 5 and below Rs 10 per annum (3) Re 0 8 0 for every month on each latrine attached to each private house assessed to a mohatarfa tax of above Rs 10 and below Rs 15 (4) Re 0-12 0 for every month on each latrine attached to each private house assessed to mohatarfa tax of above Rs 15 and below Rs 20 (5) Re 1-0 0 for every month on each latrine attached to each private house assessed to mohatarfa tax above Rs 20 per annum (6) Rs 2-0 0 for every month on each latrine attached to Government and Public Buildings

R VARADARAJ PILLAI
President

K RANGAIENGAR ESQR B A LL B
PRESIDENT

OFFICE OF THE PRESIDENT
TOWN MUNICIPAL COUNCIL
TUMKUR

28th November 1941

cord]

DO No HC 61
41-42

Dear Sir

XXX Please let me know at what stage these are

I write to request you to be so good as to obtain favourable orders of Government or the following papers which are pending for a long time

Thanking you,

Hm 29/11/41

With regards,
Yours sincerely,

Hm 29/11/41

Hm 29/11/41

1 Sanctioning the levy of Sanitary Cess in this Municipality

2 Sanction to the appointment of orderlies in this Municipality

3 Waiving of conversion fine payable on lands proposed to be acquired for enlargement of Jail Extension in Tumkur

This is attended to PA note - like steps by Hon Min Case

Hm 29/11/41

H V Narayana Rao, Esq, B A, LL B,
Secretary to Government,
Law Department, Bangalore

Table

1) Subject marked

2) Orders received

3) Further information called for

1 File relating to item 1 is placed below for kind perusal

2 File relating to item 2 has been taken by the L S S Minister's Office in connection with the Minister's Dum in Tumkur Dist

3 The file relating to the 3rd has been sent on 28/XI/41

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

A reply to the Resident's letter can be sent

Law Secy. 29/11/41

HC 29/11 Re 3 further information being called for

Sec 29/11

WD 0563—36,000—GPB—20 3 40